

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

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No. 23-2295  
(1:20-CV-00891-LKG)

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**GROUP HOME ON GIBSON ISLAND, LLC; ASSISTED LIVING WELL  
COMPASSIONATE CARE 2, LLC**

Plaintiffs - Appellants

v.

**GIBSON ISLAND CORPORATION**

Defendant - Appellee

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**CONSENT MOTION TO USE DEFERRED JOINT APPENDIX**

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Appellants Group Home on Gibson Island, LLC and Assisted Living Well Compassionate Care 2, LLC (collectively, “Appellants”), by their undersigned counsel, and with Appellee’s consent, respectfully request the Court approve the use of the deferred joint appendix procedures of Fed. R. App. P. 30(c):

1. In this appeal from the district court’s order granting summary judgment, the exhibits to the parties’ cross-motions total over 4,000 pages.

2. It is anticipated that the parties will cite only a fraction of those pages, but it is difficult to avoid over-designation before the parties file their principal briefs.

3. Additionally, some of the deposition transcript pages were filed in the district court in “minu-script” form, which may require significant technical work before filing the Joint Appendix.

4. Employing the deferred joint appendix procedures of Fed. R. App. P. 30(c) would mitigate both issues and keep briefing on track.

5. Appellants propose the following schedule:

Appellants’ Page-Proof Opening Brief:	March 19, 2024
Appellees’ Page-Proof Response Brief:	April 18, 2024
Appellants’ Reply Brief	May 9, 2024
Joint Appendix	May 9, 2024
Appellants’ Final Opening Brief	May 23, 2024
Appellees’ Final Response Brief	May 23, 2024

6. Prior to filing this Motion, Appellants’ counsel conferred with Appellee’s counsel who advised that they consent to the relief requested..

WHEREFORE, Appellants respectfully request that this Court approve the use of a deferred joint appendix, using the schedule set forth above.

Dated: March 6, 2024

Respectfully submitted,

/s/ Steven M. Klepper

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## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on March 6, 2024, a copy of the foregoing paper  
was served by CM/ECF on all counsel of record.

/s/ Steven M. Klepper

Steven M. Klepper